

VILAR & GREEN

ATTORNEYS AT LAW

Mark F. Vilar
Aaron L. Green
Misty Prudhomme

A Limited Liability Company
1450 Dorchester Drive - P.O. Box 12730
Alexandria, Louisiana 71301 (71315)
Telephone (318) 442-9533 - Fax (318) 442-9532
Toll Free (800) 640-0349
Writer's E-mail: aaron@vglaw.net

OF COUNSEL
R. Christopher Nevils
Loren M. Lampert
Jerry W. Deason, Jr.
Paul Boudreaux, Jr.

July 1, 2020

Via E-mail Only

Beryl Lipton

97216-89460433@requests.muckrock.com

Re: City of Pineville Public Records Request

Dated: June 29, 2020

Dear Sir or Madam:

Our firm serves as City Attorney for the City of Pineville ("City"). This letter confirms receipt of the above referenced public records request. Please direct all further correspondence regarding your request to our office.

Louisiana Revised Statutes 44:32(A) provides in part as follows:

The custodian shall present any public record to any person of the age of majority who so requests. The custodian shall make no inquiry of any person who applies for a public record, except an inquiry as to the age and identification of the person.

Please produce sufficient documentation to confirm your age and identification (an example of such documentation would be a driver's license). Upon receipt of this information and clarification of your request (as set forth below), provided you are a "person of the age of majority", the requested record(s) will be provided in accordance with applicable law.

The City objects to your request as written because it is vague, overly broad and it is difficult to ascertain the specific records are you requesting. Subject to these objections and without waiving same, based on the Subject Line of your e-mail, the City interprets your request as seeking "settlement data and reports" related to "law enforcement and/or the Pineville Police Department" and from the body of your e-mail it appears as though your request pertains to the time period from January 1, 2010 through the present date. It is unclear whether your request is limited to summaries, lists, databases and spreadsheets summarizing such information, which as noted below, do not exist, or if your request seeks documents pertaining to individual claims and/or settlements.

The City is not in possession of any reports, lists, databases, or spreadsheets detailing legal claims or settlements from January 1, 2010 through the present date. In the event you are seeking documents regarding each settlement since January 1, 2010, the City reserves the right to petition a court of competent jurisdiction for a fee for the City's examination

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and/or review to determine what, if any, documents are subject to disclosure, as authorized by La. R.S. 44:32(C)(3).

Further, considering the time involved, any review or examination would need to occur during a time other than regular office or working hours. Under those circumstances, the City reserves the right to seek the **advance** payment of a reasonable compensation for any such review or examination. La. R.S. 44:32(A). Please note that any fees that may be sought under La. R.S. 44:32(A) or La. R.S. 32(C)(3) shall be in addition to the charges for page for copies of any records you may obtain, as provided by applicable law.

The City requests that you: (1) provide documentation to confirm your age and identification as requested above; and (2) clarify what documents you seek as outlined above. Upon receipt of the requested information, provided you are of the age of majority, the City will notify you of advance costs required, if any, for the review and examination required by your request. And once the review process is complete, we will notify you of the number of pages subject to disclosure and the costs to obtain copies. We will also include an opportunity to inspect the records prior to deciding if you would like to obtain copies.

Please contact our office if you have any questions or wish to discuss this matter further.

Sincerely,

VILAR & GREEN, L.L.C.

By: 

Aaron L. Green

ALG/bdw

cc: Katherine Hayes